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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/053,703

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Joel Maurin

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MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

OKORONKWO, CHINWENDU C

ART UNIT

PAPER NUMBER

2136

NOTIFICATION DATE

DELIVERY MODE

09/22/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocketing@milesstockbridge.com
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Office Action Summary	Application No. 10/053,703	Applicant(s) MAURIN ET AL.	
	Examiner CHINWENDU C. OKORONKWO	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In response to communications filed on 10/01/2007, the Examiner acknowledges the amendments made to the claims and have both considered and applied them to the claims.

Response to Remarks/Arguments

2. Applicant's communication of 10/07/2007 regarding the arguments of the claim rejections of 06/01/2007 have been fully considered but they are not persuasive.

In response to the several variations of the Applicant argument (regarding claims 1 and 6-8) that claims Grantges does not teach or suggest using a nonsecure stateless first protocol for inserting the certificate unmodified into a cookie header of a request and then transmitting said unmodified certificate within the a cookie header using said first protocol, the Examiner cites 3:21-29 of Grantges which recites, "[an] identifier compris[ing] a character string associate with the application to which the user of the remote client computer is provided access [and a] gateway ... configured to create a cookie containing the identifier wherein subsequent requests made by the client computer also include the cookie containing the identifier." The reference clearly discloses the claimed and argued limitation of inserting a certificate unmodified into a cookie header.

3. In response to the Applicant argument that neither Devine nor Grantges does not teach or suggest transmitting the request, including the cookie header containing the

certificate, from the security module to the server machine using the first [non-secure] protocol, the Examiner respectfully disagrees citing 2:36-38, which recites, "another known gateway for providing access to a private network over an insecure network involves a two-level client-side digital certificate authentication mechanism." The Examiner understand this disclosure to read upon the claimed and argued limitation, thus the rejection is maintained.

Specification

4. The disclosure is objected to because of the following informalities: There is no support in the disclosure for the claimed apparatus of claims 6 and 15-17 and the claimed media of claims 8-11.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 6 and 15-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The apparatus of the claim is not supported by the Specification as the machine described therein is directed towards computer software and not a physical device or piece of hardware.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al. (US Patent Publication No. 2005/0210296 A1 *hereinafter* Devine) and further in view of Grantges et al. (US Patent No. 6,510,464 *hereinafter* Grantges).

Regarding claims 1 and 15-17, Devine, discloses a method and apparatus for communicating to a server machine a certificate of a user which is sent by a client machine via a security module of a computer system, wherein a first protocol used between the client machine and the server machine is a stateless protocol, and a second protocol used between the client machine and the security module is a stateless protocol, said method comprising:

transmitting the request, including said cookie header containing said certificate, from the security module to the server machine, wherein said certificate has a plurality of separators; and wherein said cookie header includes a plurality of cookies (0066, 0118, 0122, 0124-0126 of Devine).

Devine is silent in disclosing inserting said certificate into a cookie header of a request in the first protocol, however Grantges does disclose this limitation (col. 2 lines 36-54 and col. 10 lines 6-31). It would have been obvious for one of ordinary skill in the art, at the time of the invention, to combine the secure gateway having routing feature of Grantges with the secure customer interface for web based data management of Devine. Grantges provide motivation for this combination in the recitation, "In a preferred embodiment, the identifier comprises a character string associate with the application to which the user of the remote client computer is provided access. The gateway is configured to create a cookie containing the identifier wherein subsequent requests made by the client computer also include the cookie containing the identifier. Through the foregoing, the identification of the selected application is known by the gateway (col. 3 lines 21-29 of Grantges).” Therefore it would have been obvious to combine these concepts as it is the preferred manner of provided increased security to transmitted messages.

Regarding claim 2, Devine, discloses removing from said certificate all separators used in headers of the request prior to insertion of said certificate into said cookie header (0131 of Devine).

Regarding claim 3, Devine, discloses determining, prior to the inserting step, whether an existing cookie header is present in the request sent by the client

machine; and creating a new cookie header if said existing cookie header is not present in the request sent by the client machine (0124 of Devine).

Regarding claim 4, Devine, is silent in disclosing adding a specific cookie into the existing or new cookie header; and assigning a configurable default name to said specific cookie to enable the server machine to distinguish the certificate from cookies of the request, however Grantges does disclose this limitation (col. 2 lines 36-54 and col. 10 lines 6-31). It would have been obvious for one of ordinary skill in the art, at the time of the invention, to combine the secure gateway having routing feature of Grantges with the secure customer interface for web based data management of Devine. Grantges provide motivation for this combination in the recitation, "In a preferred embodiment, the identifier comprises a character string associate with the application to which the user of the remote client computer is provided access. The gateway is configured to create a cookie containing the identifier wherein subsequent requests made by the client computer also include the cookie containing the identifier. Through the foregoing, the identification of the selected application is known by the gateway (col. 3 lines 21-29 of Grantges).” Therefore it would have been obvious to combine these concepts as it is the preferred manner of provided increased security to transmitted messages.

Regarding claim 6, Devine, is silent in disclosing a security machine which secures exchanges between a client machine and a server machine of a computer system, wherein a first protocol used between the client machine and server machine is a stateless protocol, and a second protocol is implemented between the client machine and said security machine is a stateless protocol, said security machine is comprising: an analyzer which enables the transmission of a certificate inserted into a cookie header of an HTTP or equivalent request wherein said cookie header includes a plurality of cookies (0130 and 0131 of Devine).

Regarding claims 7 and 12-14, Devine, discloses a client machine, a server machine, and a security module (0066, 0118, 0122, 0124-0126 of Devine).

Devine, is silent in disclosing a first protocol used between the client machine and the server machine are configured to communicate using a first protocol, said first protocol comprising a stateless protocol; wherein the client machine and the security module are configured to communicate using a second protocol, said second protocol comprising a secure stateless protocol; and wherein the security module comprises an analyzing program which enables transmission of a certificate sent by the client machine in a cookie header of a request in said stateless protocol, whereto stud cookie header includes a plurality of cookies, however Grantges doses disclose this limitation (col. 2 lines 36-54 and col. 10

lines 6-31). It would have been obvious for one of ordinary skill in the art, at the time of the invention, to combine the secure gateway having routing feature of Grantges with the secure customer interface for web based data management of Devine. Grantges provide motivation for this combination in the recitation, "In a preferred embodiment, the identifier comprises a character string associate with the application to which the user of the remote client computer is provided access. The gateway is configured to create a cookie containing the identifier wherein subsequent requests made by the client computer also include the cookie containing the identifier. Through the foregoing, the identification of the selected application is known by the gateway (col. 3 lines 21-29 of Grantges).". Therefore it would have been obvious to combine these concepts as it is the preferred manner of provided increased security to transmitted messages.

Regarding claims 8-11, Devine, discloses a computer readable storage media upon which is embodied a sequence of programmable instructions which, when executed by a security module of a computer system, cause the security module to perform operations comprising: communicating to a server machine a certificate of a user which is sent by a client machine via the security module, wherein a first protocol used between the client machine and the server machine is a stateless protocol, and wherein a second, protocol used between the client machine and the security module is a secure stateless protocol; inserting said certificate into a cookie header of a request in the first protocol; and transmitting

the request, including said cookie header containing said certificate, from the security module to the server machine; wherein said certificate has a plurality of separators; and wherein said cookie header includes a plurality of cookies (0066, 0118, 0122, 0124-0126 of Devine).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHINWENDU C. OKORONKWO whose telephone number is (571)272-2662. The examiner can normally be reached on MWF 2:30 - 6:00, TR 9:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571) 272 4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2136

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nasser G Moazzami/
Supervisory Patent Examiner, Art
Unit 2136

/C. C. O./
Examiner, Art Unit 2136